

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE
ATTACHED EXHIBIT:

JOINT MOTION TO DISMISS WITH PREJUDICE

Plaintiffs in the cases listed on the attached Exhibit A and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. AMS is the only defendant in the listed actions.¹ Accordingly, Plaintiffs and AMS jointly move the court to dismiss with prejudice and terminate from the docket of the court the actions listed on the attached Exhibit A, parties to bear their own costs.

Respectfully:

¹ In each of these cases, a stipulation of dismissal with prejudice was previously filed for all non-AMS defendants. Although each such stipulation is on the docket, the court has not yet marked them as “terminated.” Since all these other defendants have been previously dismissed, they are not included a second time on this motion.

/s/ Barbara Binis

Barbara Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg
FARRELL WHITE & LEGG
P. O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
EWL@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Tim K. Goss

Tim K. Goss
FREESE & GOSS
Suite 1100
3500 Maple Avenue
Dallas, TX 75219
214.761.6610 (phone)
214.761.6688 (fax)
Goss39587@aol.com
Attorney for Plaintiffs on Exhibit A

Dated: August 10, 2018

EXHIBIT A – FREESE & GOSS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-02308	Merry Pendleton, Raymond Pendleton, Balinda Patterson v. Ethicon Women's Health and Urology, Gynecare, American Medical Systems, Inc.
2:13-CV-00945	Violet Fisher v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-00949	Juanita Gardner, Samuel H. Gardner v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-00980	Diane Smith, Patrick Smith v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-01639	Jennifer Brown, Joshua Brown v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ *Barbara Binis*

Barbara Binis